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In re Application of :
Marshall C. Ryan :
Application No. 10/524086 :
Filing or 371(c) Date: 02/09/2005 : **ON PETITION**
Attorney Docket Number: 30,178-00 :

This is a decision on the Petition for Revival of Application for patent Abandoned Unintentionally, filed October 1, 2008.

This Petition is hereby **granted**.

Background

On filing, the inventors named in the present application were Jay D. Nord and Jeffrey K. Droque. On May 19, 2006, Applicant filed a Correction of Inventorship to add Marshall C. Ryan as an inventor of the present application. The Correction of Inventorship included an oath/declaration executed by inventor Marshall; however, the oath/declaration did not include the residence and/or Post Office address of inventor Marshall.

On February 21, 2007, Applicant filed a Request to Delete as inventors of the present application Jay D. Nord and Jeffrey K. Droque.

On April 10, 2007, this Office mailed a Notice of Allowance and Issue Fee Due and Notice of Allowability. The Notice of Allowability noted therein the correction of the inventorship by deleting as inventors Jay D. Nord and Jeffrey K. Droque. Applicant submitted the issue fee on July 9, 2007.

The Office then mailed a Supplemental Notice of Allowability on November 15, 2007, and on January 4, 2008, the Office mailed an Office communication, requiring a Substitute Oath/Declaration executed by Marshall C. Ryan. The Office communication maintained as a reply period that set forth in the Notice of Allowability. A Notice of Abandonment was mailed

on April 23, 2008 indicating as the reason for abandonment Applicant's failure to file a proper reply to the Office communication mailed January 4, 2008.

The present petition

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a Substitute Oath/Declaration executed by Marshall C. Ryan; (2) the petition fee; and (3) a proper statement of unintentional delay.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.

This application is being referred to the Office of Data Management for processing into a patent.

/Derek L. Woods/
Derek L. Woods
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Office of Petitions